

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

V.

**RHODE ISLAND COMMERCE CORPORATION :
(F/K/A RHODE ISLAND ECONOMIC :
DEVELOPMENT CORPORATION), WELLS FARGO: :
SECURITIES, LLC, PETER M. CANNAVA, :
KEITH W. STOKES, and JAMES MICHAEL SAUL, :**

Defendants.

JOINT REPORT OF RULE 26(f) DISCOVERY PLAN

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties hereby submit their Joint Report, including their proposed pre-trial schedule for the conduct of discovery.

Matters to be Addressed at Initial Conference

A. Pending Motions

None.

B. Discovery Events

With regard to the limitations on discovery events, the parties anticipate that they will need to exceed the default limit of ten depositions. The parties have agreed that the Commission may take up to 15 depositions, that defendant Rhode Island Commerce Corporation may take up to 15 depositions, and that defendants Wells Fargo and Mr. Cannava may jointly take up to 25 depositions.

C. Electronic Document Discovery

The parties are aware of their obligations to preserve electronic discovery. The parties have already shared substantial document productions and are working cooperatively to share data in the format(s) desired by each party.

D. Proposed Schedule for Pretrial Discovery

The parties have conferred on a discovery schedule and jointly propose the following schedule:

- Fact discovery deadline – October 20, 2017
- Deadline by which defendants must state their intention to rely on advice of counsel as a defense: June 16, 2017
- Affirmative expert reports (all parties) – December 4, 2017
- Rebuttal expert reports (all parties) – January 5, 2018
- Expert depositions complete – February 9, 2018
- Summary Judgment briefs due – March 21, 2018

E. Status of Initial Disclosures

The Commission and the defendants will serve initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on November 29, 2016.

F. Alternative Dispute Resolution

No agreement has been made at this time for consent to alternative dispute resolution.

Dated: November 23, 2016

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION,
By its attorneys,

/s/ Kathleen Burdette Shields

Kathleen Burdette Shields (Mass. Bar No. 637438)

Rua M. Kelly (Mass. Bar No. 643351)

Louis A. Randazzo (New York Bar No. 2416485)

Securities and Exchange Commission

33 Arch Street, 24th Floor

Boston, MA 02110

(617) 573-8904 (Shields)

(617) 573-8941 (Kelly)

(617) 573-8985 (Randazzo)

(617) 573-4590 (Facsimile)

ShieldsKa@sec.gov; KellyRu@sec.gov; RandazzoL@sec.gov

RHODE ISLAND COMMERCE CORPORATION,
By its attorneys,

/s/ Benjamin Ledsham

Max Wistow (#0330)

Stephen P. Sheehan (#4030)

Benjamin Ledsham (#7956)

WISTOW, SHEEHAN & LOVELEY, PC

61 Weybosset St

Providence, RI 02903

(401) 831-2700

Fax: (401) 272-9752

mwistow@wistbar.com

spsheehan@wistbar.com

bledsham@wistbar.com

S. Gale Dick (admitted *pro hac vice*)

COHEN & GRESSER LLP

800 Third Avenue, 21st Floor

New York, NY 10022

Phone: (212) 957-7600

Fax: (212) 957-4514

sgdick@cohengresser.com

jlang@cohengresser.com

WELLS FARGO SECURITIES, LLC

By its attorneys,

/s/ Luke T. Cadigan

Luke T. Cadigan (admitted *pro hac vice*)

Cooley LLP

500 Boylston St., 14th Floor

Boston, MA 02116

Phone: (617) 937-2480

Fax: (617) 937-2400

lcadigan@cooley.com

Christopher J. Valente (Bar No. 8808)

K&L Gates LLP

State St. Financial Center

One Lincoln St.

Boston, MA 02111

Phone: (617) 261-3100

Fax: (617) 261-3175

Christopher.valente@klgates.com

PETER CANNAVA,

By his attorneys,

/s/ Stephen M. LaRose

/s/ Charles A. Tamuleviz (by SML with permission)

Brian T. Kelly, Esq. (admitted *pro hac vice*)

Stephen M. LaRose (admitted *pro hac vice*)

Kathleen Ceglarski Burns (admitted *pro hac vice*)

Charles A. Tamuleviz (#6115)

Nixon Peabody LLP

One Citizens Plaza

Providence, RI 02903

Phone: (401) 454-1000

Fax: (401) 454-1030

bkelly@nixonpeabody.com

slarose@nixonpeabody.com

kburns@nixonpeabody.com

ctamuleviz@nixonpeabody.com

Certificate of Service

I, Kathleen Burdette Shields, hereby certify that on November 23, 2016, I caused a true copy of the forgoing document to be filed through the ECF system, and accordingly, the document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF). There are no non-registered participants as of today.

/s/ Kathleen Burdette Shields
Kathleen Burdette Shields